IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 27156 of 2004(G)

PETITIONERS:

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1. C.N.ANIRUDHAN, S/O.NARAYANAN,
PRODUCTION SUPERVISOR (RTD), ANJILIVELIYIL HOUSE,
P.O.NETTOOR, ERNAKULAM.

2. P.J.SABHAJOSE, S/O.P.M.JOSEPH,
PRODUCTION SUPERVISOR(RTD), KUNNATH HOUSE,
M.L.A.ROAD, PALLURUTHY, KOCHI 6.

3. T.VENUGOPALAN, S/O.NARAYANAN NAIR,
KARTHIKA NIVAS, ICEMEN (RTD.)
SHOBHA ROAD, PIPE LANE,
PALARIVATTOM, KOCHI 25.

4. R.MURUGAPPA PILLAI, S/O.RAMALINGA PILLAI
T.C.17/1224, (ICE MEN RTD.)BHASKARA BHAVAN,
P.O.THIRUMALA,
PANGODE, THIRUVANANTHAPURAM.

BY ADV. SRI.T.H.ABDUL AZEEZ
SRI.T.B.HOOD

RESPONDENTS:

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1. STATE OF KERALA, REP. BY THE SECRETARY
FISHERIES & PORTS DEPARTMENT, SECRETARIAT,
THIRUVNANTHAPURAM.

2. THE DIRECTOR OF FISHERIES/REGISTRAR OF
FISHERIES CO-OPERATIVE SOCIETIES, VIKAS BAHVAN,
THIRUVANANTHAPURAM.

3. KERALA STATE CO-OPERATION FEDERATION FOR
FISHERIES DEVELOPMENT LTD.(MATSYAFED),
KURAVANKONAM, THIRUVANANTHAPURAM, REP. BY IS
MANAGING DIRECTOR.

4. THE ASSISTANT REGISTRAR/CONCURRENT AUDITOR, MATSYAFED, KURAVANKONAM, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. MATHEW GEORGE VADAKKEL
ADV. SRI. KOSHY GEORGE, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 27156/2004 G

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER NO. M.FED/E2/37/2002 DT. 22/2/02 BY R3.

EXT.P2. COPY OF THE ORDER NO. MATSYAFED/E2/4326/04 DT. 29/5/04 BY R3.

EXT.P3. COPY OF THE CIRCULAR NO. M.FED E2/214/02 DT. 5/6/04 BY R3.

EXT.P4. COPY OF THE ORDER NO. E2/37/02 DT. 3/6/04 BY R3.

EXT.P4A. COPY OF THE ORDER NO. M.FED/E2/02/03 DT. 4/6/04 BY R3.

EXT.P4B. COPY OF THE ORDER NO. M.FED/E2/1068/03 DT. 5/6/04 BY R3.

EXT.P5. COPY OF THE GO MS NO. 23/2000/F&PD DT. 7/11/00 BY R1.

EXT.P6. COPY OF THE GO MS NO. 29/90/F&PD DT. 21/6/90 BY THE R1.

EXT.P6A. COPY OF THE LETTER NO. M.FED/E2/1223/02 DT. 5/12/03 BY R3.

EXT.P7: COPY OF THE CICULAR NO. M.FED/E2/769/2003 DT. 8/7/03 BY THE R3.

EXT.P8. COPY OF THE GO MS NO. 18/2001/F&PD DT. 18/6/2001 BY THE R1.

EXT.P9. COPY OF THE GO MS NO. 11/03/F&PD DT. 4/3/03 BY THE R1.

EXT.P10. COPY OF THE LETTER NO. 6250/A1/2003/F&PD DT. 11/08/03 BY R1.

EXT.P10A. COPY OF THE OFFICE ORER NO. M.FED/E1/1223/02 DT. 3/10/03 BY R3.

EXT.P11. COPY OF THE JUDGMENT DT. 15/10/03 IN CON. CASE (C) NO. 874/2003S OF THIS COURT.

EXT.P12. COPY OF THE PROCEEDINGS NO.F3/7759/2004 DT.22/6/04 BY R2.

EXT.P13. COPY OF THE CIRCULAR NO.M.FED/E1/3173/01 DT. 2/08/04 BY THE R3.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 27156 OF 2004

Dated this the 8th day of August, 2007.

J U D G M E N T

Petitioners approached this Court with certain grievances with regard to gratuity and also the cut off date. As far as the restriction regarding number of years in the matter of gratuity, in view of the subsequent Circular No. Matsyafed/E2/214/02 dated 31.08.2005, the grievance does not survive.

2. As far as the cut off date is concerned, as rightly pointed out by the learned Standing Counsel for the Matsyafed, it is for the petitioners to approach the Government.

Therefore, this writ petition is disposed of quashing Exhibits P2, P3, P4, P4(a) and P4(b) with liberty to the petitioners to make appropriate representations before the Government within a period of two months from today, in which case, the matter will be duly considered by the Government with notice to the petitioners and 3rd respondent.

KURIAN JOSEPH, JUDGE.

smp